

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIM. NO. 04-10357-MEL
v.)	
)	
RASHIEK T. CANNON,)	
Defendant.)	
)	

JOINT INITIAL STATUS CONFERENCE MEMORANDUM

The United States of America, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Paul R. Moore, and the defendant RASHIEK T. CANNON, by and through his counsel, Edward L. Hayden, Esq., jointly submit this memorandum to address the issues delineated in L.R. 116.5(A)(1)-(7).

1. The parties do not seek additional relief with regard to the timing requirements imposed by L.R. 116.3. All discovery currently available to the government has been provided to the defendant.

2. The government and the defendant request that this Court set dates for the discovery and reciprocal discovery concerning expert witnesses which may be necessary in the event of a trial in this matter.

3. The government has provided full and open-file discovery to the defense counsel and will continue to provide full and open-file discovery if and when further evidence becomes available to the government. Having otherwise provided discovery, the government does not anticipate providing any additional discovery (other than that required to be produced at least twenty-one days prior to trial) but allows that it might do so in response to specific defense requests.

4. A motion date should be established for the filing of, and response to, substantive

motions.

5. (*If the Court sets an additional status conference*) The parties would request that the time from the filing of this Joint Memorandum through the date on which the Final Status Conference is scheduled (should this Court so schedule such a conference) by this Court be excluded from calculation under the Speedy Trial Act, the reasons for which include that the parties continue need further time in which to examine the evidence in an effort to seek resolution of this matter short of trial, pursuant to 18 U.S.C. § 3161(h)(1)(F).

6. At this juncture, the parties cannot represent to the court whether this matter is likely to require a trial or whether it will be resolved short of trial.

7. The final status conference should be set coincident with the conclusion of the briefing period that the Court sets for the defendant's substantive motions.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul R. Moore
Paul R. Moore
Assistant United States Attorney

RASHIEK T. CANNON
Defendant

By: /s/ Edward L. Hayden
Edward L. Hayden, Esq.
Counsel for Mr. Cannon

DATE: December 4, 2006